

FILED BY AC D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 OCT 13 PM 2:12

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WESTERN DIVISION

INMAN BEERS, a Joint Venture,

Plaintiff,

v.

TRANSCONTINENTAL INSURANCE
COMPANY OF NEW YORK, ET. AL.,

Defendants,

No. 05-2556 BP

~~PROPOSED~~ JOINT SCHEDULING ORDER

Pursuant to written notice, a scheduling conference was held on October 13, 2005. Present were Michael C. Patton, counsel for Defendant, Transcontinental Insurance Company of New York ("Transcontinental - NY"), Defendant/Counter-Plaintiff/Third Party Plaintiff, Transcontinental Insurance Company ("Transcontinental"), and Defendant, Continental Casualty Company, d/b/a CNA or CNA Insurance or d/b/a Transcontinental Insurance Company ("Continental"), and C. Wesley Fowler, counsel for Plaintiff/Counter-Defendant, Inman Beers ("Inman"). Christopher M. Paparella and Rajika Bhasin, counsel for Transcontinental, Transcontinental - NY and Continental, participated via telephone. Counsel for Third Party Defendants, Nelson Plumbing Co., Inc. ("Nelson") and Amerisure Companies, Inc. ("Amerisure") have not yet made appearances in this action. At the conference, the following dates were established as the final dates for:

M MCP 906490 v1
2016652-000002 10/10/05

This document entered on the docket sheet in compliance
with Rule 55 and/or 79(a) FRCP on 10-14-05

INITIAL DISCLOSURES PURSUANT TO Fed. R. Civ. P. 26 (a)(1):	November 30, 2005
JOINING PARTIES:	February 17, 2006
AMENDIING PLEADINGS:	February 17, 2006
INITIAL MOTIONS TO DISMISS:	March 17, 2006
COMPLETING ALL DISCOVERY:	September 15, 2006
(a) DOCUMENT PRODUCTION	September 1, 2006
(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:	September 1, 2006
(c) EXPERT WITNESS DISCLOSURE AND DEPOSITIONS (Rule 26):	
(i) All parties' Rule 26 Expert Report	July 14, 2006
(ii) All parties' Rule 26 Expert Rebuttal Reports	July 28, 2006
(iii) Expert Witness Depositions	September 15, 2006
FILING DISPOSITIVE MOTIONS:	November 1, 2006

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is currently set for a jury trial, and the trial is expected to last 5 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation ~~after~~ the close of discovery.

on or before TMP

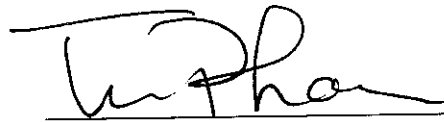
The parties are reminded that pursuant to Local Rule 17(a)(1)(a), all motions, except motions pursuant to Fed. R. Civ. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to a trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED



TU M. PHAM
UNITED STATES MAGISTRATE JUDGE

DATE: October 13, 2005

APPROVED AS TO FORM:

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Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 2:05-CV-02556 was distributed by fax, mail, or direct printing on October 14, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT